

July 11, 2013

The Board of Public Works & Safety met at 4:00 pm on the above date in the Meeting Room at City Hall Annex with Mayor Tucker presiding and members Fuelling and Curtis attending. Others attending were Chief Beloit; Chief Dixon; St. Comm. Dieterle; Asst. St. Comm. Miller; Supt. Givens; Judy Thomann – Bernardin Lochmueller & Associates; Park Supt. Harshbarger; Scott Royer; Andy Hoehn; Joyce Hack – FOE; Lois Gray – Posey County News; and Sara Manifold – Mount Vernon Democrat.

Mayor Tucker called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. He added if not, he entertains a motion to waive their reading and to approve the minutes as presented. Board member Curtis moved the reading of the minutes be waived and they be approved as presented. Seconded by Board member Fuelling.

Mayor Tucker asked if there were any questions ?

There were none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried.

Mayor Tucker requested action on the claims presented.

Board member Fuelling moved the claims presented be allowed for payment. Seconded by Board member Curtis.

Mayor Tucker asked if there were any questions ?

There were none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker stated they will now hear the reports of the Departments.

Chief Beloit stated he would like approval to give the two new hires, Jess Pope and Candace Dockery, their September clothing allowance in advance. He added this is normal procedure for new hires.

Board member Curtis moved approval be given. Seconded by Board member Fuelling.

Mayor Tucker asked if there was any discussion ?

There were none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried. He then asked if there were any questions of Chief Beloit ?

There were none.

Chief Dixon stated he has no report.

Mayor Tucker asked if there were any questions ?

There were none.

Supt. Givens stated the part that they had discussed at the last meeting for the digester blowers, will be shipped tomorrow. He then stated Neuros has been good to work with and this issue should be fixed soon.

Mayor Tucker asked if there were any questions ?

There were none.

St. Comm. Dieterle stated he would like permission for himself and Asst. St. Comm. Miller to attend the Street Commissioner's Convention in Plymouth August 19 – 22, 2013. He added the cost will be \$1400.00.

Board member Fuelling moved permission be given. Seconded by Board member Curtis.

Mayor Tucker asked if there were any questions ?

There were none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried.

Mayor Tucker stated they are now ready for the Legal portion of the Agenda.

Clerk-Treasurer Sitzman stated she has quotes/bids on a new dump truck. She then opened the bids in the bids in the order in which they were received as follows:

Freightliner    \$135,721.00

Sternberg       \$138,493.38

Mayor Tucker stated the Board should acknowledge receipt of the bids and that they be taken under advisement for review by Attorney Higgins and St. Comm. Dieterle. He added if they find the bids meet legal requirements and specifications he asked if they should proceed and take the low bid ?

Board agreed.

Board member Curtis added as they are so close in price, they should study the bids carefully, in the end, they not want the low bid.

Board tabled any further action until they receive recommendation from Attorney Higgins and St. Comm. Dieterle.

Mayor Tucker stated he believes they have a few more Legals.

Judy Thomann stated she does have some contracts with her this afternoon, the first being relative to E & S Housing – a turn key for lining pipe in the area. She added they (BLA) are proposing to provide everything from the engineering to the bid packets. They will also work with Supt. Givens, as they believe this is the avenue to help with the CSO issue they are experiencing out there. The amount of the contract is \$88,000.00. She added they would be using GRIPP as they have found them to be the cheapest on flow meters and Supt. Givens is comfortable with them as well.

Supt. Givens stated he also uses GRIPP's equipment at the plant. He added this is avenue is cheaper than the proposal he just received from them earlier.

Board member Fuelling asked if he means this in relation to the flow meters ?

Ms. Thomann replied yes.

Supt. Givens stated in reference to the contract, he recommends the Board take a good look at it before they make a decision. He added there is a lot of language in there that Attorney Higgins needs to review.

Ms. Thomann asked Mayor Tucker if he has talked with Attorney Higgins ?

Mayor Tucker replied yes and added that she did, in fact, want more clarification on some items.

Supt. Givens agreed.

Ms. Thomann stated she never heard back from her.

Mayor Tucker stated they need to move forward on this issue, but he feels they need to let Attorney Higgins review the contract, and wait for her recommendations. Then, at that point, Supt. Givens can get with BLA to revise the contract. Again, they need to get moving on this and he hates to wait two more weeks.

Supt. Givens added the contract is good, it is the scope of work that needs to be addressed.

Ms. Thomann asked what the concerns were ?

Supt. Givens replied there were just some concerns and he would prefer they get with Attorney Higgins first, and then get back with BLA.

Board member Fuelling moved they approve the contract based on Attorney Higgins' recommendations; and that he and Supt. Givens get together to make the changes to the scope of work. Seconded by Board member Curtis.

Mayor Tucker asked if there were any questions ?

There were none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried.

Ms. Thomann continued by stating she also has with her a contract for Post Construction Compliance Monitoring Plan, which is required by IDEM. She stated BLA will prepare all necessary associated paperwork. IDEM has changed a lot of their reporting requirements and they can assist Supt. Givens with that.

Supt. Givens replied he would like to hold off on this. He added he hasn't heard from the State on their expectations and he would like some guidance from them first before they proceed. He has also not heard from anyone at IDEM. He stated he doesn't see how it can be much more complicated than what he is doing now.

Board member Curtis stated this could be critical though. They have spent a lot of money and have a lot of money invested in the new plant. He added he respects Supt. Givens' words, though he feels he should check with IDEM but carefully decide further action. He added he wants to be compliance and they need to be very cautious.

Board member Fuelling agreed.

Supt. Givens stated for this Compliance Monitoring Plan, he wants IDEM guidelines and he hasn't seen any.

Ms. Thomann replied their guidelines are on their website – the city has to do a plan. They have not started any inspections yet, but they will start making visits.

Board member Fuelling asked if they could make this part of the meeting they have with Attorney Higgins ?

Board member Curtis stated a two week wait on this won't kill them. Supt. Givens needs to make contact with IDEM and discuss these issues as you go along.

Supt. Givens stated he spoke with operator in Tell City and he is doing their reporting – he doesn't feel it is difficult.

Board member Curtis asked the amount of the contract ?

Ms. Thomann replied \$35,000.00

Board member Fuelling stated Mr. Trinkle could possibly come down as well to meet with them – which would be a good idea. He then stated he wants Supt. Givens to be comfortable either way they go.

Board member Curtis added they will check that out.

Mayor Tucker asked if anyone in the Audience wished to address the Board ?

Joyce Hack stated she is present representing the Eagles. She added they are having a country artist come in August 31 and they want to block the riverfront in front of the Eagles home – not blocking the ramp – to the alley between them and Vectren. They are expecting a crowd.

Board member Curtis asked if Main Street would remain open then ?

Ms. Hack replied yes. She would also like to get with Chief Beloit about hiring some off-duty police officers for security. The event will be from 6 – 10 pm. She then stated she has a question about alcohol – can they serve it in the blocked off part of the street ? It would be in cups, no bottles or cans and they will clean up the mess.

Board member Curtis replied he doesn't know and questioned liability.

Mayor Tucker stated the City has an ordinance against that and has had for years – no open containers within 300 feet of a city park. He added that may be something they want to re-visit.

Chief Beloit stated this may be more of a question for Attorney Higgins.

Comm. Dieterle left the meeting.

Ms. Hack stated that is fine, it is legal for them to drink on their property she will see that they stay there.

Board member Curtis agreed and added that yes, they may want to re-visit that ordinance.

He then stated he feels they can not allow the alcohol.

Board member Fuelling agreed they need to look into this especially with the newly renovated riverfront. Ms. Hack stated he artist coming is Tim Dugger, he has opened for Nascar and has an album out, he is really good.

Mayor Tucker stated he certainly wants to attract folks to the riverfront.

Board member Fuelling moved they be permitted to block Water Street from Main to the Vectren alley on August 30 – Friday evening – until August 31 at 10 pm. Seconded by Board member Curtis.

Mayor Tucker asked if there were any questions ?

There were none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried.

Ms. Hack left the meeting.

Mayor Tucker asked if anyone else in the Audience wished to address the Board ?

Park Supt. Harshbarger approached and stated they are having Movie Night this Friday nigh and need permission to block Water Street from Main to Mulberry at 6 pm to set up for the movie, and remain blocked until around 11pm. Movie time is 8:45.

Board member Fuelling moved the request be granted. Seconded by Board member Curtis.

Mayor Tucker asked if there were any questions ?

There were none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried.

Comm. Dieterle returned to the meeting.

Supt. Harshbarger and Mr. Royer left the meeting.

Mayor Tucker asked if there was any Old Business ?

There was none.

Mayor Tucker asked if there was any New Business ?

There was none.

Mayor Tucker stated if there was no further business, he entertains a motion to adjourn.

Board member Fuelling moved the meeting be adjourned. Seconded by Board member Curtis.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously and adjourned the meeting.

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John Tucker  
Mayor

ATTEST:

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Cristi L. Sitzman  
Clerk-Treasurer